



September 16, 2003 CPC  
October 22, 2003 BS

STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

03SN0314

BTC Partners

Dale Magisterial District  
West line of Courthouse Road

REQUEST: Amendment to Conditional Use Planned Development (Case 82S096) relative to building materials, architectural treatment and occupancy permits. Specifically, the applicant is requesting an amendment to Proffered Condition 6 to permit vinyl and Hardy Plank siding as alternative building materials; the deletion of Proffered Condition 3 limiting the number of similar facade treatments per building; and an amendment to Condition 6 to permit the release of occupancy permits prior to roads being accepted for state maintenance.

PROPOSED LAND USE:

A residential townhouse development containing a maximum of ninety-eight (98) units is proposed.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL SUBJECT TO THE CONDITION AND ACCEPTANCE OF THE PROFFERED CONDITION ON PAGE 2.

STAFF RECOMMENDATION

- I. The original proffered conditions of zoning addressing building materials (Proffered Condition 6) and facade treatment (Proffered Condition 3) were negotiated with area property owners. After consideration of public input, should the Commission and Board wish to approve these amendments, the acceptance of the amended Proffered Condition would be appropriate.

II. Recommend approval of the amendment to Condition 6 relative to occupancy permits for the following reason:

This amendment will allow development to comply with current Subdivision Ordinance standards relative to the completion of road improvements in relation to the issuance of building permits.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

CONDITION

(STAFF/CPC) All public roads shall have a pavement width not less than forty (40) feet, face of curb to face of curb. These roads shall be constructed to Virginia Department of Highways and Transportation's specifications and taken into the State system. (EE)

(NOTE: This condition supersedes Condition 6 of Case 82S096.)

PROFFERED CONDITION

(STAFF/CPC) The exterior treatment of all dwelling units shall be limited to cedar siding, hardboard siding, vinyl siding, Hardy Plank siding or brick, or a combination of such materials. At the time of tentative subdivision plan review, alternative exterior treatments of equal or improved quality and durability, as determined by the Planning Commission, may be substituted provided such materials do not substantively alter the original design, character or appearance of the dwelling units. (P)

(NOTE: This proffered condition supersedes Proffered Condition 6 of Case 82S096.)

(NOTE: With the exception of Condition 6 and Proffered Condition 6 which are amended herein, and the deletion of Proffered Condition 3, all previous conditions and proffered conditions of Case 82S096 shall remain in effect.)

GENERAL INFORMATION

Location:

Lies along the west line of Courthouse Road, approximately 1,300 feet north of Harley Drive. Tax IDs 748-684-Part of 6404, 749-684-0431 and 4251 (Sheet 10).

Existing Zoning:

R-TH with Conditional Use Planned Development

Size:

16.8 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - I-1 with Conditional Use Planned Development and A with Conditional Use  
Planned Development; Office/warehouse or outdoor recreation  
South - A; Single family residential  
East - A; Single family residential  
West - C-3; Multi-family residential or vacant

UTILITIES AND PUBLIC FACILITIES

The requested amendment will have no impact on these facilities.

ENVIRONMENTAL

Currently, the Subdivision Ordinance requires that streets be constructed to state standards and accepted into the state system prior to the issuance of more than eighty (80) percent of the building permits in any section of a residential townhouse subdivision that is to be served by public roads. The proposed amendment to Condition 6 to delete the requirement that all streets be in the public system prior to the issuance of any occupancy permit will permit the proposed development to comply with Ordinance standards.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Northern Area Plan which suggests the property is appropriate for residential development at densities of 1.51 to 4.0 units per acre.

Area Development Trends:

Surrounding properties are developed for a mix of uses to include office/warehouse, multi-family and outdoor recreation to the north and west, and single family residential to the south and the east along Courthouse Road. The subject property represents infill development providing land use transitions from north to south, and from east to west.

### Zoning History:

On November 23, 1983, the Board of Supervisors, upon a favorable recommendation by the Planning Commission, approved a rezoning of 16.3 acres from Agricultural (A) and Residential (R-12) to Residential Townhouse (R-TH) with Conditional Use Planned Development to permit Ordinance exceptions. With approval of this request, conditions and proffered conditions required, in part, restrictions on siding materials and facade treatments for buildings (Proffered Conditions 3 and 6 of Case 82S096) and a requirement that roads be taken into the state system prior to the issuance of occupancy permits for any dwellings. (Condition 6 of Case 82S096)

### Building Materials and Architectural Treatment:

Currently, Proffered Condition 6 of Case 82S096 restricts the exterior building materials to cedar siding, hardboard siding, brick or a combination thereof. The applicants have requested that vinyl siding and Hardy Plank be added to this list. Further, alternative materials of comparable quality and durability may be substituted upon the Planning Commission's determination that such materials do not substantively alter the original design, character or appearance of the dwelling units.

Proffered Condition 3 of Case 82S096 limits the number of facades with the same appearance to a maximum of two (2) per building. The applicants are requesting that this requirement be deleted, thereby requiring that the architectural appearance follow Ordinance requirements. The Ordinance requires that buildings be designed to avoid monotonous facades and large bulky masses. Buildings should employ creative design elements to provide architectural variety to include window and door articulation, sculptural or textural relief of facades, architectural ornamentation and varied rooflines, among other features. Elevations would be reviewed and approved by the Planning Department as part of the subdivision plans review process to insure adherence to this Ordinance requirement.

### CONCLUSIONS

The original proffered conditions of zoning addressing building materials (Proffered Condition 6 of Case 82S096) and facade treatment (Proffered Condition 3 of Case 82S096) were negotiated with area property owners. After consideration of public input, should the Commission and Board wish to approve these amendments, the acceptance of the amended Proffered Condition would be appropriate.

The proposed amendment to Condition 6 will allow development to comply with current Subdivision Ordinance standards relative to the completion of road improvements in relation to the issuance of building permits. For this reason, approval of the amendment to Condition 6 is recommended. (Condition)

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## CASE HISTORY

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**Planning Commission Meeting (9/16/03):**

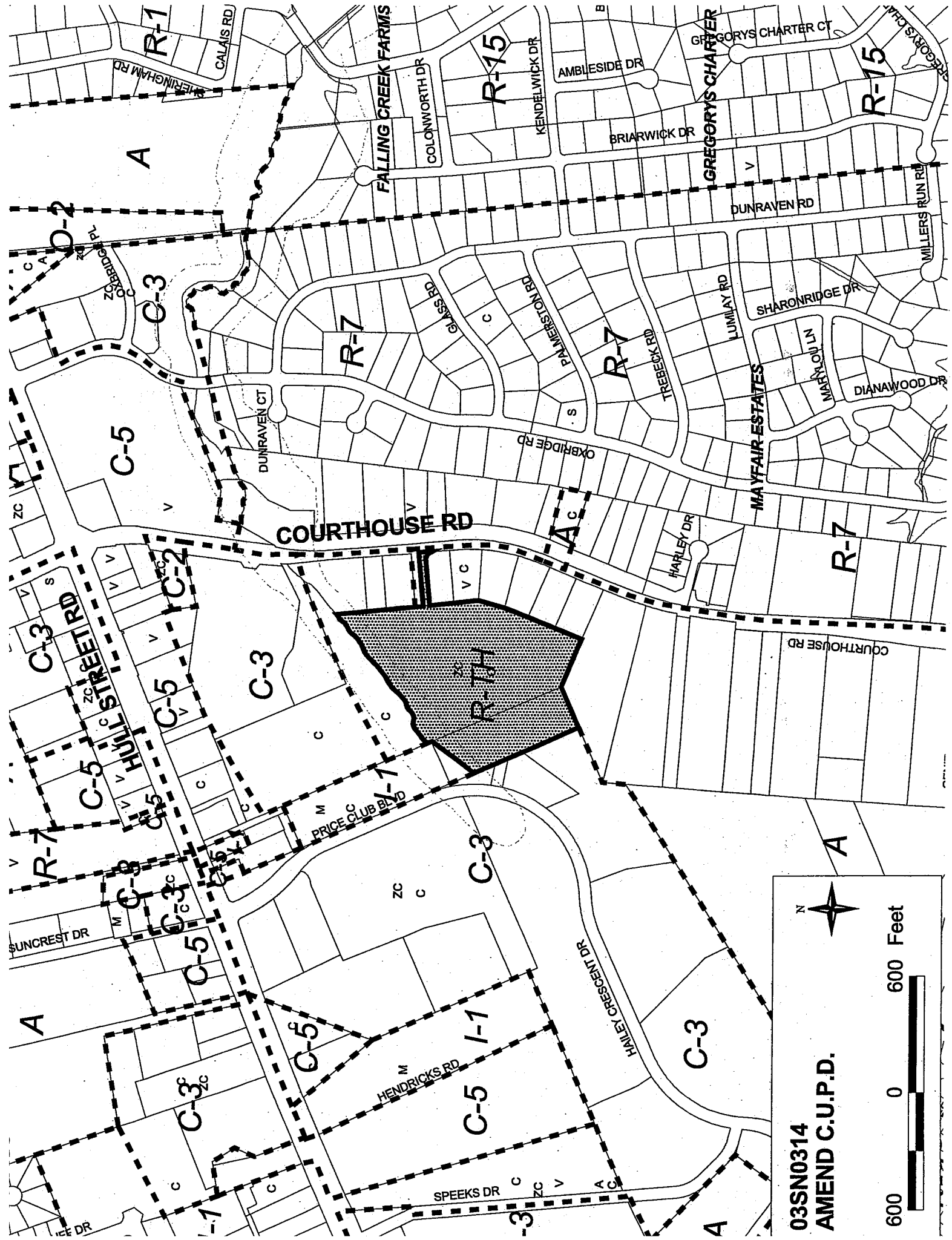
The applicant accepted the recommendation. There was no opposition present.

On motion of Mr. Litton, seconded by Mr. Gulley, the Commission recommended approval subject to the Condition and acceptance of the Proffered Condition on page 2.

AYES: Unanimous.

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The Board of Supervisors, on Wednesday, October 22, 2003, beginning at 7:00 p.m., will take under consideration this request.



03SN0314  
AMEND C.U.P.D.



600 0 600 Feet